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FM AMEMBASSY ASHGABAT

TO RUEHC/SECSTATE WASHDC PRIORITY 9501

INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE PRIORITY

RUCNCIS/CIS COLLECTIVE PRIORITY

RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY

RUEHAK/AMEMBASSY ANKARA PRIORITY 2848

RUEHBJ/AMEMBASSY BEIJING PRIORITY 0669

RUEHKO/AMEMBASSY TOKYO PRIORITY 0545

RUEHIT/AMCONSUL ISTANBUL PRIORITY 1121

RUEHGV/USMISSION GENEVA PRIORITY 1326

RUEHVEN/USMISSION USOSCE PRIORITY 1802

RUEKJCS/Joint STAFF WASHDC PRIORITY

RHEHNSC/NSC WASHDC PRIORITY

RHMFIUU/CDR USCENTCOM MACDILL AFB FL PRIORITY

RUEKJCS/SECDEF WASHDC PRIORITY

RUEAIIA/CIA WASHDC PRIORITY

RHEFDIA/DIA WASHDC PRIORITY

RUCPDOC/DEPT OF COMMERCE WASHDC PRIORITY

RUEATRS/DEPT OF TREASURY WASHDC PRIORITY

UNCLAS SECTION 01 OF 02 ASHGABAT 001079

SIPDIS

SENSITIVE

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STATE FOR SCA/CEN, DRL

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [EAID](#) [KDEM](#) [TX](#)

SUBJECT: TURKMENISTAN: GERMAN EXPERTS PRESS LEGAL REFORM

VIA "EXCHANGE OF OPINIONS"

¶1. (U) Sensitive but unclassified. Not for public Internet.

¶2. (SBU) SUMMARY: A German academic delegation from the German Association for Technical Cooperation visited Ashgabat the week of October 1 to hold a roundtable with a number of Turkmenistan's ministries and government agencies directed towards helping the Government of Turkmenistan map out a plan of legal reform. While the group's roundtable was not the smooth-sailing, outcomes-oriented event that had been planned, the fact that the event took place at all is a considerable step forward. The event did not achieve the roadmap or consensus the delegation sought, but GTZ plans to move forward with an MOU and a winter strategic planning conference anyway. END SUMMARY.

¶3. (SBU) The German Association for Technical Cooperation (GTZ) has proposed a legal reform project supported by the German Ministry for Economic Cooperation and Development. The delegates, including Rolf Knieper, a trusted, long-time advisor to the Turkmen government on legal affairs, and GTZ's regional chief, were in Ashgabat the week of October 1 to hold a roundtable to review a paper draft that GTZ had written after several fact-finding visits to Ashgabat in Spring 2007. The whole project evolved as a response to a Turkmenistan government request that the German government undertake a survey of Turkmenistan's legal and justice system. The MFA had approved the roundtable, albeit only a day prior to the event, and refused to allow GTZ to invite representatives of international assistance organizations active in Turkmenistan.

¶4. (SBU) The GTZ representatives had intended to use their roundtable to conduct a dialogue on next steps with members of the ministries and agencies who attended. Although the roundtable was well publicized, it did not lead to the active discussion that GTZ had hoped for. Institute for Democracy and Human Rights Director Shirin Ahmedova, who double-hats as the Chairman of the newly established Human Rights

Commission, and a senior MFA representative briefly commented after the group had reviewed each section of the report. GTZ proposed to draft an MOU, the specifics of which will be discussed during a conference it hopes to hold in December or early 2008.

15. (SBU) GTZ representatives had requested the MFA send advance copies of GTZ's final report draft ahead of time to participating ministries and agencies, but most attendees from agencies such as the MFA, Justice, Interior Ministry, the Prosecutor's Office, MNB, and the Institute for Democracy and Human Rights did not receive their copies until they arrived at the roundtable. Further, GTZ representatives were piqued that the conclusion section of their draft, "translated" by the MFA, had been altered, to include statements praising President Berdimuhamedov's reforms. The MFA renamed the event an "exchange of opinions" rather than a "roundtable." GTZ, subsequently, changed the report's name from "GTZ Report" to "Report by German Experts with Turkmenistan's Input."

16. (SBU) Despite these issues, GTZ plans to move forward in hopes of convincing the government to accept its assistance in initiating legal reform, including in criminal procedures, and international investment and arbitration. GTZ highlighted the need for donor coordination, and indicated that it will work closely with USAID, OSCE, ABA/CEELI, and others to reduce duplication, in light of already overlapping requests for assistance (NOTE: The OSCE representative indicated that the government had also requested assistance from his office on criminal procedure reform. END NOTE.)

17. (SBU) COMMENT: Notwithstanding the problems that

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occurred, the fact that the roundtable on legal reform took place at all is a significant development that would not have happened here a year ago. GTZ's draft report provides a blunt assessment of where Turkmenistan is, and the reforms it must undertake to move towards enforcing rule of law and democratization. Given the government's hesitant participation in the roundtable, it seems likely that the process of moving toward specific legal reform projects will unfold only gradually. END COMMENT.

HOAGLAND